

SENATE BILL 642

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2004 Regular Session  
4r2883  
CF 4r2024

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By: **Senator Astle**

Introduced and read first time: February 6, 2004

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Boating - Disclosure of Personal Information**

3 FOR the purpose of providing an additional exception to a certain prohibition on the  
4 disclosure of personal information by the Department of Natural Resources to  
5 certain business entities or their agents, employees, or contractors under certain  
6 circumstances; and generally relating to the disclosure of personal information  
7 by the Department.

8 BY repealing and reenacting, with amendments,  
9 Article - Natural Resources  
10 Section 8-704.1  
11 Annotated Code of Maryland  
12 (2000 Replacement Volume and 2003 Supplement)

13 BY adding to  
14 Article - State Government  
15 Section 10-616(s)  
16 Annotated Code of Maryland  
17 (1999 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Natural Resources**

21 8-704.1.

22 (a) Except as provided in subsection (b) of this section, upon written request  
23 by the owner of a vessel registered under this subtitle that information about that  
24 person not be disclosed, the Department may not furnish to any person the name,  
25 address, or other identifying information about the owner of the registered vessel.

26 (b) This section does not prevent the Department from furnishing information  
27 under this section:

1 (1) To another governmental agency;

2 (2) If not requested for the purpose of preparing a mailing list, to a  
3 person requesting the information in connection with the compilation of statistical  
4 data; [or]

5 (3) As to the owners of vessels registered under this subtitle, to a person  
6 whose request for the information is determined by the Department to be limited to,  
7 and necessary for, the protection of the ownership, safe operation, proper  
8 maintenance, or repair of the vessel; OR

9 (4) TO A LEGITIMATE BUSINESS ENTITY OR ITS AGENTS, EMPLOYEES, OR  
10 CONTRACTORS, REQUESTING INFORMATION UNDER § 10-616(S) OF THE STATE  
11 GOVERNMENT ARTICLE.

12 **Article - State Government**

13 10-616.

14 (S) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A  
15 CUSTODIAN MAY NOT KNOWINGLY DISCLOSE A PUBLIC RECORD OF THE  
16 DEPARTMENT OF NATURAL RESOURCES CONTAINING PERSONAL INFORMATION.

17 (2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A  
18 CUSTODIAN SHALL DISCLOSE PERSONAL INFORMATION FOR USE IN THE NORMAL  
19 COURSE OF BUSINESS ACTIVITY BY A LEGITIMATE BUSINESS ENTITY, ITS AGENTS,  
20 EMPLOYEES, OR CONTRACTORS, BUT ONLY:

21 (I) TO VERIFY THE ACCURACY OF PERSONAL INFORMATION  
22 SUBMITTED BY THE INDIVIDUAL TO THAT ENTITY; AND

23 (II) IF THE INFORMATION SUBMITTED IS NOT ACCURATE, TO  
24 OBTAIN CORRECT INFORMATION ONLY FOR THE PURPOSE OF:

25 1. PREVENTING FRAUD BY THE INDIVIDUAL;

26 2. PURSUING LEGAL REMEDIES AGAINST THE INDIVIDUAL;  
27 OR

28 3. RECOVERING ON A DEBT OR SECURITY INTEREST  
29 AGAINST THE INDIVIDUAL.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 June 1, 2004.